

Senate Bill No. 166

Passed the Senate August 17, 2009

Secretary of the Senate

Passed the Assembly July 9, 2009

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2009, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 18871.12 to the Health and Safety Code, relating to special occupancy parks.

LEGISLATIVE COUNSEL'S DIGEST

SB 166, Runner. Special occupancy parks.

Existing law requires the Department of Housing and Community Development to adopt regulations for special occupancy parks that establish requirements which the department has determined to be reasonable and necessary for the protection of life and property and which take into consideration any special conditions, including location, physical environment, density of usage, type of operation, type of vehicles to be accommodated, and duration of occupancy. Pursuant to these provisions, the department has adopted a regulation that prohibits a truck camper from being occupied if it has been removed from the truck.

This bill would supersede that regulation and instead make it a crime for any person to occupy a truck camper, as defined, that has been dismounted from a truck or other vehicle, unless the special occupancy park management approves the truck camper for occupancy if removed from the truck or other vehicle, and other specified requirements are met.

By creating a new crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. Section 18871.12 is added to the Health and Safety Code, to read:

18871.12. Notwithstanding Sections 18865.3 and 18871.10, it is unlawful for any person to occupy a truck camper, as defined

in Section 18013.4, that has been dismantled from a truck or other vehicle, unless the special occupancy park management approves the truck camper for occupancy if removed from the truck or other vehicle and all of the following requirements are met:

(1) The truck camper shall be equipped with a permanently mounted jack on each of its four corners.

(2) The truck camper jacks shall be placed on footings that have a minimum ground contact of at least eight square inches and that have a minimum nominal thickness of two inches.

(3) Immediately upon removal from the truck or other vehicle, the truck camper shall be lowered to no more than 12 inches and no less than six inches from the ground at its lowest point and shall be reasonably level.

(4) The truck camper shall not remain in the special occupancy park in a dismantled state for more than 30 consecutive days or a period of time established at the discretion of park management, whichever is less.

(5) The owner or occupant of the truck camper shall have a readily available, operable vehicle on which to remount the truck camper if the dismantled truck camper becomes unstable.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

Approved _____, 2009

Governor